England [Laws, etc. Wm & Mary]
[6 & 7 Will & Mar c. 2.]

SOME CONSIDERATIONS ON A LAW FOR Triennial Parliaments.

With an Enquiry,

I. Whether there may not be a Time when it is neceſſary to ſuſpend the Execution, even of ſuch Laws as are moſt Eſſential to the Liberties of the People?

II. Whether this is ſuch a Time or no?

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LAW is the moſt valuable Privilege of the People: 'Tis the Limit of the Soveraign Authority, and the Rule of the Peoples Obedience; 'Tis not only their Security from the Tyranny of their Princes, but 'tis the Pledge of their mutual Peace; it preſerves Order, ſupports all Kinds of Subordination, cheriſhes Vertue, prompts and encourages Arts, Induſtry, Learning, and all the neceſſary Parts of humane Improvement: 'Tis the Guard of Honour, the Sanctuary of Innocence, and the laſt Refuge of every honeſt Man.

As this is to be ſaid of the Law in every well Government; ſo there is ſomething to be added with reſpect to the People of theſe Nations, that is not to be ſaid of moſt, if it is of any Nation in the World, *Great-Britain* excepted, *viz.* That no Laws can be made, or when made, can be ſuſpended and repealed, but by the Conſent of the People.

This Solemn Word Law, is expreſs'd in different Terms, and bears a different Signification, according to the Nature of the Thing it has reſpect to. But that I may not enter into a long Debate about the Branch of the Law I am now to ſpeak of, I lay it down thus beforehand, *viz.* That I am ſpeaking now of Laws reſpecting Civil Policy, and the Government of a Nation. Theſe with us are call'd the Conſtitution, and contain the Prerogatives of the Crown, and the Peoples Liberties.

As it is juſt we ſhould, ſo in this Nation we are the moſt chary of theſe of any Nation in the World; and we have carry'd Things very high, even to War and Death, Revolution of Government, and Dethroning our Kings, when the Laws, by which they ought to go-

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vern, have been invaded, or the Execution of them diſpens'd with by the Legal Authority.

By the ſame Rule, we ought to be very chary on our own Side: And tho' the Right to ſuſpend the Laws of every Kind is undoubtedly lodg'd in the People, that is to ſay, in Parliament; and they may, upon extraordinary Occaſions, conſent to it; yet it is but upon very great and extraordinary Occaſions, and oftentimes not without Difficulty, that the People are brought to conſent to it, and always with lawful Reſtrictions, and for as little Time as poſſible.

All theſe Things I thought it was neceſſary to lay down, as an Introduction to the following Diſcourſe; becauſe I am next to advance a Maxim in our Conſtitution, *viz.* That there is not only a Right lodg'd in the Conſtitution, for the ſuſpending the Execution of the Laws; but that there may be a Time when it is abſolutely neceſſary to do ſo; and this muſt be underſtood even of thoſe Laws which are the moſt eſſential to the Peoples Liberties, and the moſt fundamental Part of their Privileges,

vileges, as well as of others less significant.

To prove there may be such a Circumstance or Necessity, it is to the Purpose, first, to shew, that there have been such in Time past; and, secondly, that there is such a one depending at this very Time.

We need not run back into Antiquity for Examples: The Militia Bill is the first I shall bring upon the Stage; it is a very significant Article in the Law, made 13. *Car.* II. for settling the Militia, *That to prevent the harrassing the Country, and putting them to Extraordinary Charges for arming and marching the Train'd-Bands, or County Troops, on Pretence of defending the Country, as often as a timorous or a vexatious Prince may think fit, that Provision is made, that after the Militia has been once raised, and a Month's Pay advanc'd to them by the Country, as that Law directs, the said Country shall not be oblig'd to raise the Militia again, let the Occasion be what it will, until the Month's Pay, formerly advanc'd, be repaid them by the Crown.*

It must be acknowledg'd, that this is a most valuable Privilege of the Peo-

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ple of this Nation, and ſecures them againſt an infinite Number of Encroachments and Oppreſſions, which they might otherwiſe be ſubject to. Nay, it prevents the Deſtruction of all their other Liberties, which their King's having the abſolute Diſpoſal of the Militia might bring upon them, making the People cut the Throat of the Conſtitution with their own Hands, making the very Militia a Standing-Army in Time of Peace, and at the Country's Expence alſo, by putting in ſuch Under-Officers as they pleaſe, and commanding them by ſuch Lord Lieutenants as the King ſhould find for his Purpoſe, and as are never wanting, let the Purpoſe be never ſo wicked; an eminent Inſtance of which is freſh in the Memory of many yet living, when the Train'd-Bands of the City of *London*, in the Time of Sir *John Moor*'s being Lord Mayor, were made the Tools to offer Violence to the Privileges of the City, and to Garriſon the *Guild-Hall*, to keep the Livery-men, ſuch only as they pleaſed to admit, from the Freedom of their Votes.

Theſe Things ſhew the Value of this Law, for ſettling the Militia, and how

how essential it is to the Liberties of the People of *England*; and yet we find this Law suspended in its Execution from Year to Year, for almost the last 20 Years, by Acts of Parliament brought in every Session, Entituled thus; *An Act for raising the Militia for the Year . . . notwithstanding the Month's Pay formerly advanc'd be not repaid*, &c. The Reasons and Necessity of thus suspending the Execution of the former Law are so evident, that I need say nothing, but refer the Reader to the long Continuance of an expensive War, which made the Repayment of the said Month's Pay a Burthen, and the Danger of Invasions from a powerful Enemy very imminent.

The Habeas Corpus Act is another Instance. The Value of this Law to the People of *England*, the Bulwark that it is to their Liberties, the Sense the People have always had of the Usefulness of it. These all speak for themselves; yet upon extraordinary Occasions, and that long before this last unhappy Occasion now subsisting, this Law has frequently been suspended for a Time, by the Consent, nay, at the very Motion and Desire of the People themselves.

themſelves, for whoſe Security, and for the Defence of whoſe Liberties that Law was made, the ſeveral Precedents are needleſs to repeat; but one is very ſingular, *viz.* the Impriſoning Captain *Counter*, and the five other Gentlemen, commonly known by the Name of the *Aſſaſſinators*, in *Newgate*, without Bail, and without Tryal, which has now been continued for near 20 Year, ſometimes for a certain Time, ſometimes without a Limitation, a thing without Example, during the Soveraign's Pleaſure. This, I ſay, is an eminent Inſtance of the ſuſpending that Law; a Law, which, as it was ever eſteem'd one of the ineſtimable Branches of our Liberties, ſo it is a Law, which of all other Laws ſeems to be the moſt dangerous to give up into the Hands of the Soveraign; the leaſt Miſuſe of which Power opens a Door to the worſt kind of Oppreſſions.

The Penal Laws are another Example of the Practice of ſuſpending the Execution of Law by Parliament, the *Diſſenters* being diſtinguiſh'd by the Act of Exemption, commonly call'd the *Toleration Act*, from the Penalty of thoſe Laws, which yet are in themſelves thought to be abſolutely neceſſary to

the Safety and Preſervation of the Proteſtant Religion.

The late Occaſion of ſuſpending the *Habeas Corpus Bill*, in order to empower the King to ſecure the Perſons of Traytors, practiſing to raiſe a Rebellion in this Nation, is an Example too notorious to need any mention, or to be capable of any Anſwer. All theſe Things make good what was at firſt laid down, *viz.* That there has been a Time, when the Wiſdom of the Parliament have thought it neceſſary, for the Good of the People themſelves, to ſuſpend, for ſome time, the Force, and diſpenſe with the Execution, even of thoſe Laws, which have been thought the moſt Eſſential to the preſerving the Peoples Liberties.

It remains, that I deſcend to the Caſe now in hand, and to enquire, whether a Bill, for the Triennial Calling of Parliaments in *England*, may not be ſubject to the ſame Circumſtances.

Not whether the Parliament have the ſame Power to ſuſpend it, for that is out of the Queſtion; but whether there may not be a Time, in which ſuch a Law may not be found inconvenient and dangerous, and conſequently that it ought to be conſider'd of, whether the Execu-

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tion of, or ſtrict adhering to it, may not be thought neceſſary to be ſuſpended for a Seaſon, and whether it is proper at this very Time or no.

It is true, ſuch an Enquiry at this Time may be thought very preſumptuous in a private Perſon, and many will cenſure the Attempt, as done in Favour of a Party; but the ſame Arguments that prove the Neceſſity of the Thing, will certainly defend the Author from Cenſure, and his Zeal for the Publick Good will at leaſt plead for him, if he is ſuppoſed to go beyond the Modeſty of a Subject. However, I ſhall endeavour to perform this critical Task with ſo much Circumſpection, as to give no Handle to Enemies, and no Offence to Friends; and let thoſe who diſlike it, from their Diſaffection to the Government, firſt anſwer it, and then I give them free Leave to accuſe me to whom they pleaſe.

Before I proceed, I ſhall grant what I preſume any Objector would much dwell upon, *viz.* the Uſefulneſs, Advantage, and Value of the Law for Triennial Parliaments, and let them ſpend as many Compliments and Panegyricks as they pleaſe upon the Law it-

ſelf, the Zeal of thoſe worthy Patriots that puſh'd it at firſt into a Law, if we may call it puſhing, for it was ſtrenuouſly oppos'd, and once refuſed by King *William* and his beſt Friends; let them repeat all the Reaſons given for preſſing it at that Time, and the Reaſons given in general why ſuch a Law was always neceſſary to the People; let them enlarge upon the great Topick of Debauching Members by Places and private Engagements, &c. All which, together with the Hiſtory of the Penſion Parliament in the Reign of King *Charles* II. were largely inſiſted upon, and large Speeches made upon that Subject by ſome Members, who were called the Country Party at the Time this Bill was depending in the Houſe: I ſay, let theſe, and all further that can be ſaid in behalf of this Law, be brought out, and I ſhall readily grant and aſſent to it all, and that Impeachment of the preſent Argument, which indeed is not at all affected with thoſe Things, and amounts to no more than this, *viz.* That there may be a Time when, and the Publick Affairs may be ſo circumſtanc'd, as that it may be neceſſary, even for the Good of the People themſelves, to ſuſpend the

Execution

Execution of such a Law as this for a Season, and with such Restriction of Clauses, and for so long Time, as to the Wisdom of Parliament shall seem meet.

This, and the Enquiry whether this is not the Time when such a Suspension is necessary, I shall speak of together, to avoid, as much as possible, multiplying Heads of Discourse.

It has formerly been said of this Law, for the Triennial Meeting of Parliaments, by a very great Statesman, that tho' it was an excellent Law, and had so many other good Things necessarily attending it, as made it well worth our while to bear with some Inconveniencies in the Practice of it: Yet, that there was one thing which would be so much the natural Consequence of it, and was in itself so mischievous to the Publick, that it would one time or other oblige the Parliament to think of Repealing it; *and this was*, That it was the only Thing that would render perpetual the Divisions among the People, and make Faction eternal. I'll explain immediately what they meant by this Saying: I shall only add, that if this Time the same Law is in Danger of being a Means to make Rebellion so, the Argument will

be

be ſtill ſtrong for what I have to ſay about it.

It has been found too true, that the Triennial Elections of Parliament have been a conſtant Means of keeping up the Factions and Diviſions of Parties in the Counties and Corporations through the whole Kingdom; nor was it leſs ſo by thoſe who loſt, than by thoſe who gain'd in their Elections, which has been thus expreſs'd formerly: 'He that 'had loſt his Election in a Country 'Town, made it his Buſineſs to form 'and increaſe his Intereſt, and make 'new Friends; employing Agents all 'the while for that Purpoſe, knowing 'that in 3 Years he ſhould have a new 'Tryal of Skill for it. He that gain'd 'an Election, had nothing to do but to 'cultivate his Intereſt, keep up his 'Friends, preſerve the good Opinion the 'People had of him, and ſecure them 'to be firm in their Votes, knowing 'very well that he muſt have all the 'Work to do over again in 3 Year more, 'and that the other Candidate would 'ſlip no Opportunity, nor ſpare any 'Expence, to get away his Friends, and 'weaken his Intereſt.

Thus,

Thus, ſays that Author, the Factions were kept alive in the Country, and Party Feuds are handed down to Poſterity, from Age to Age, *in Æternum*.

The Government has been very ſenſible of this; nor has it been poſſible to alter it, without loſing that Bill, which was always of ſo much Conſequence to the Kingdom, that it was better to bear the Inconvenience of the other, than to ſtrike at the Root of ſo eſſential a Pillar of the Peoples Liberty. Indeed it may be ſaid, that every Reign has not been equally willing to have thoſe Diviſions cur'd, and therefore not equally anxious about the Method, tho' it is certain the Houſe of Commons have been frequently ſenſible of the ill Conſequence; and therefore, tho' they would not touch this Bill on thoſe Occaſions, partly becauſe not a ſuſpending the Execution only, but a total Repeal of the Act itſelf, would have been requir'd to have anſwer'd the End in that Caſe; yet they often made Attempts to prevent the Miſchiefs of thoſe Diviſions, by making Laws to prevent Bribery and Corruption in Elections of the Members. Whether thoſe Things have been

effectual

effectual or not, in this Case, is not to our Purpose.

We are now come to a new and very singular Case, in which, perhaps, this Act of Parliament is like to be more concern'd than ever before, and in which we are to enquire, whether there may not be some Necessity to break in upon some of our own Privileges for a Season, to prevent the Enemy's breaking in upon the whole Constitution, for want of the prudential Stop I am speaking of.

To enquire into the Case, I must give a brief Abstract of *the State of the Nation* thus. We are at this Time in the Infancy of a second happy Revolution: A Family is placed upon the Throne, hated for their Zeal to the Protestant Interest; their effectual and powerful Capacity to suppress *Jacobitism*, and their extensive Interest in the other Protestant Powers of *Europe*, to engage them against the Friends of the *Pretender*: A Prince fills the Throne, always formidable to *France*, by his own Merit, and now dreadful to all the *Popish* Powers of *Europe*, by the Addition of these rich and powerful Dominions.

His

His Majeſty has entred upon the Poſſeſſion, in a quiet, peaceable, and a legal Manner; and the Parliament in Being have appear'd ſo ſincerely, and dutifully attach'd to his Intereſt, that they have hitherto encouraged all the faithful Part of his Majeſty's People to do their Duty, and to aſſiſt in ſuppreſſing and defeating, or otherwiſe diſappointing, all the Deſigns of the Enemies to his Succeſſion.

But be it by what ſecret Arts and Machinations it will; whether of Hell, or of the *Jacobite* Party, or of both in Confederacy, it is not to the preſent Purpoſe to enquire. The Endeavours of a wicked Sett of Men among us, who yet call themſelves Proteſtants, and many of whom have taken the Oaths, as well of Allegiance, as that moſt ſolemn of all Oaths, the Abjuration of the *Pretender*, have, with too much Succeſs, purſued a Helliſh Deſign of ſpreading the Poiſon of Diſaffection among the common People of this Nation; who being abuſed and impoſed upon by innumerable Falſities, Suggeſtions, and Miſrepreſentations, as well of the Perſon of his Majeſty, as of his real Deſigns, which it is evident have been all calculated for the Publick Peace and Proſperity of theſe Kingdoms,

inſinuating the Danger, as well of our Eccleſiaſtick Conſtitution, as of our Liberties.

By theſe Arts miſleading the poor ignorant People, they have puſh'd them upon all Manner of Diſorders, Tumults, Violences; and even at laſt into an open and actual Rebellion, having taken up Arms againſt the Proteſtant Settlement, by which all our Liberties, as well Eccleſiaſtical as Civil, are eſtabliſhed; and againſt our Proteſtant King, by whom thoſe Proteſtant Eſtabliſhments are protected, and have run the poor deluded People headlong into thoſe Contradictions, which common Senſe, had it been liſten'd to, would have been their Protection from; ſuch as taking up Arms for a Popiſh *Pretender*, in order to ſecure a Proteſtant Conſtitution, and bringing in a *French* Tyranny for the Protection of *Engliſh* and *Britiſh* Liberties.

This Rebellion is ſtill in Being; and tho', by the Bleſſing of God, and the Conduct and Vigilance of the Government, they have been every where defeated, beaten, and diſpers'd, and the obſtinate Remains of them having their Hopes in the Refuge of inacceſſible Moun-

Mountains, keep together in Arms, rather becauſe they have no reaſon to expect Mercy and Pardon from a Prince, in ſo groſs a Manner offended, than from any Expectation of Succeſs; and ſeveral of the Ring-leaders have been, or will be, brought to open Juſtice; yet the Spirit of Rebellion ſtill remains in its full Vigour and Fury, rather animated and exaſperated by its Loſſes, than ſuppreſs'd, and reduc'd to Temper, and a dutiful Subjection.

This Spirit of Rebellion, *as is ſaid*, is ſtill in Being, and far from being ſuppreſs'd by the ſuperior Power of the Government, is rather increaſed than abated, ſince the Defeat of the Forces the Rebels had brought together; and if we enquire into the many Schemes which the Agents of the Rebellious Party have form'd to themſelves, and from which they promiſe themſelves great Advantages, we ſhall find that the Termination of the preſent Parliament, at the End of 3 Years from the Teſt of the late Writs of Election, and which by that Rule muſt happen after the next Seſſion, or Sitting, is their preſent Dependance, and the Thing from which they promiſe themſelves Succeſs in their

Deſigns; preſuming, that by reaſon of the Spirit of Deluſion and Diſaffection aforeſaid, the enſuing Elections might have been byaſs'd in Favour of their Party; and that the Members of the next Parliament ſhould have been leſs zealous, and leſs hearty in the Service of their Country, and the Intereſt of our Proteſtant King, than theſe now ſitting. In a word, it is evident, that the only Hopes of the diſaffected Party at Home reſts in keeping up the *Jacobite* Faction in the Countries; and the Proſpect of that Scheme conſiſts chiefly in the carrying the next Election againſt the Intereſt of the preſent Government, by the Force of the Deliſiom which they have ſpread among the People, and by which they have poiſon'd their Principles, and made them to wiſh Succeſs to thoſe Deſigns, which would end in the Ruin of the Proteſtant Religion, and the Liberties and Privileges of their Country.

Nothing is more frequent in their Diſcourſes throughout the whole Nation, at this Time, than this: 'That the 'preſent Government have the Advan-'tage for a while, by having a H---- of 'C----- to their Purpoſe; but that 'whenever they (the *Tories*) come to

'a new Election, which, *say they*, must 'be within little more than a Year, we 'are sure we have so prepared the Peo-'ple, and so filled them with Prejudices 'against the present Government, that 'they will choose quite another Kind.

That this is Fact, that these are the Hopes of the Party, and that this is discover'd in their daily Discourse, I think, even themselves being Judges, there will be no occasion to prove; the Thing is not done or said in a Corner, as far as they durst, they have even printed the same Thing; and they are so far from being backward, or asham'd in acknowledging these Things, that it is well known they boast of it, as a Thing they are well assur'd of: Nay, if I have not very bad Intelligence, they bouy up their Friends Abroad with the Expectation of it; and the Ministers of State in *France* are told, that if they can put off the Importunities of the *British* Ministers for one Year more, till the present Parliament has worn out its Time, and till they come to a new Election in *England*, they will see a quite different Face of Things appear here; that the Court will be so embarrass'd with the Parliament, that the Publick Affairs will

will be in a quite different Scituation, and take a new Turn; that the People will then have a ſafer and ſurer Way, than that of Arms, to ſhew their Averſion to the Party who are now uppermoſt; that they are ſure to beat them at Elections, tho' they could not in the Field; and that having once return'd but a Majority in the Houſe of C------, it will ſoon appear whether a King can rule in *England* againſt the Good Will of the People or no.

Now altho' this is made up of Rhodomontade and Bluſter, and much of the Subſtance of it would be void in its own Nature, *even ſuppoſing the Parliament ſhould diſſolve at the Time, as by Virtue of the ſaid Law it muſt do*; and tho' we are ſatisfy'd that the preſent Government might maintain itſelf, in Defiance of this Party, and make it appear that they are not ſo much Maſters of the common People as they pretend to be: I ſay, tho' all theſe Things ſeem to be viſible to us, who ſee the happy Succeſs of the King's Affairs, the Vigour of his Majeſty's Councils, and the ſure Steps taken in all his Meaſures; yet ſomething is to be ſaid on the other hand, which makes theſe Things ſeem of more Weight, at this Time, than otherwiſe

therwiſe they might be, and that make it worth while to conſider, whether ſome Meaſures ought not to be taken, effectually to diſappoint the Enemy in the Hopes they have raiſed upon theſe Suggeſtions.

Firſt, it may be affirm'd, That while the Party have a View of the Determination of this Parliament in the uſual Courſe, and of the great Things they may be able to do in a new Election, they will never give over their Attempts of debauching the Principles of the Country People, in order to ſecure their Intereſt in the approaching Elections. It is their Boaſt, that the Court has loſt the People; perhaps it is our Opinion they have not: But to make it be believ'd they have, is in ſome Meaſure to make it be ſo; at leaſt, it is to help ſuch a horrid Caſe forward. They have then nothing to do, but to cultivate the wicked Deſign, to increaſe by all means poſſible the Deluſions and Diſaffections of the common People, that if it be not true, they may make it true; and if it be true, they may increaſe it. This Occaſion muſt be taken from them, or they muſt ſome way or other be diſabled from making an Advantage of it:

For,

For, doubtleſs, while the Proſpect remains, of the *Jacobite* Party having a Majority in the next Parliament, they have an Argument that can never be refuted, to keep up the Spirit of Faction and Fury among the People: I ſay, it is an Argument never to be anſwer'd, but by removing the Foundation, *viz.* the Hopes of having, in ſo little Time, another Parliament more in their Intereſt, and which ſhall give a Turn to the Publick Affairs, in favour of their Party. This alone can put a Stop to their Invention.

For, on the other hand, as they have now Leiſure to ſpread the Diſaffection of their Party, and to lay a firm Foundation for future Miſchiefs in the Madneſs of the Rabbles; ſo we may paſs our Word for them, that they are no ill Husbands of the Time; that they ſlip no Opportunities; nor are they wanting in the leaſt to themſelves, or ſlack in their Diligence. We have found they improve every Advantage with the utmoſt Application; nay, they ſtudy for Occaſions, and make them; raiſing perpetual Rumours and Amuſements at the Expence of Truth, and calculated for the main Work of impoſing on the

People.

People. These they hand about as chary Discoveries, tho' they are no more than the Product of a wicked Invention.

It would be endless to enter into the Particulars of the Clamours they have raised, without the least Foundation of Truth, as well against the Royal Family in general, as against the Person of the King, the Government in general, and the Ministry in particular. These Things were not worth Notice: His Majesty, as all just Princes are, being above the Power of Slander, I mean as to his Person, would rather pity, than punish the Weakness of his Enemies Malice, were it not that there are, on the other hand, a poor wandring Multitude, whose Heads being intoxicated with the Treasonable Vapours of these Mens Imaginations, are thereby turn'd delirious, and are ripen'd up for all Manner of Mischief.

It is in Compassion to these, and to preserve them from destroying themselves, by driving them into the Hands of Justice: I say, it is in Compassion to these, if there were nothing else in it, that the Schemes and Projects of the other should be expos'd and defeated, that, if it be possible, Peace may be restored to a divided and abused People, and that the People may be left at Liberty to see Things by a true Light, and with their own Eyes, unpre-

judiced by the Artifice of the *Jacobites*, or of their Inſtruments, the Clergy.

Again, while the High-Flying Party have this Proſpect, while they expect the Termination of the Parliament at the uſual Time, and while they believe the Influence of their Deluſions, and the Secrecy of their Teachers will obtain upon the People; and that it may be in their Power, by theſe Helps, to influence the Votes at the next Election: I ſay, if they have theſe Expectations, it cannot be expected that they will give over the horrid Practice of debauching the Principles of the Country People, and drawing them from their Duty: While their Hopes of Succeſs remain, their Endeavour cannot be ſuppoſed to ceaſe; nay, as thoſe Hopes rather increaſe by the Approach of the Time, ſo in Proportion will their malicious Contrivances increaſe, and their Diligence quicken in the Work.

It is no uncommon Thing for the High Party to expoſe themſelves by their own Inadvertency, and raſh boaſting Speeches; nor do they oftner ſpeak the Truth of their own Deſigns, than when they think they are Bullying and Gaſconading the *Whigs*; and I know nothing they do it more in, than in this very Caſe I am ſpeaking of: Nothing is more frequent, than for them to tell us; *That the Miniſtry ought to improve*

prove the three Years they have in their Hands; that they have gotten a Parliament now to their Minds; but that they will never get such another: That now the People are of another Mind; their Eyes are opened, and they have different Opinions, both of Persons and Things, from what they had before: That Measures have been taken to do their Business in another Election; and that the People will take Care who they give their Votes for, &c. If this is not true, *as is observ'd before*, yet it is a good Argument to the Party, who talk after this Manner, to justify taking them at their Word, and acting for the Prevention of it, just as we should act, if we believ'd it to be true.

As their Expectation lies now all this Way, so I think it may be truly said, it is the only Expectation, and all the Prospect, of any Significance, that they have left. When this is over, they have sprung their last Mine: They have try'd all other Methods in vain; nothing has answer'd their End. Let us trace them in the Steps of their Disaffection: They first try'd Tumult and Rabble; and at first it stood them in some stead, as it raised the Spirits of their Faction, to think themselves a little formidable, and so ripen'd them up for Rebellion and Civil War. But when both the Civil and Military Power took hold of them, and aw'd their Mobbs, they then

tried open Rebellion; embarking a great many Gentlemen of Fortunes and Figure, who were blinded with *Jacobite* Zeal, and *Popiſh*, or worſe, Principles; flatter'd and made vain with falſe Encouragements both from Abroad, and at Home of powerful Aſſiſtance, and Numbers of Revolters; embarking them, I ſay, in a bold and bloody Deſign of depoſing the preſent Settlement, and the King alſo, and ſetting up a Foreign Idolater, a *Pretender* indeed by Progeny and by Principle; of a Religion inconſiſtent, of Birth diſputed, and of a Branch hated and expell'd.

In this wicked Attempt they have been defeated by the Valour and Vigilance of the Government, and the King's faithful Friends: They have not been able to execute their own Deſigns, neither by their Councils or Forces; they have been diſcover'd in their Cabinet, and the Chain of their Treaſons has been taken hold of Link by Link, before they had been able to perfect their Schemes, or concert their Meaſures; as their Councils have been penetrated, ſo their Expeditions have been overthrown, till at laſt, tho' their Number has been ſuperior, they have neither dared to put the Iſſue of their Cauſe to the Arbitration of the Sword, nor to the Voice of Heaven; but have quitted all they poſſeſs'd; and abandoning the poor People

they

they had drawn into their Snare, they have fled for Sanctuary to the remote Parts of the World, leaving the miserable Example of their forsaken Abetters, as a good Warning to all the People of *Britain*, to consider what is the certain End of listening to the Insinuations of these Deceivers, and how much more able they are to draw the poor People into Destruction, than to deliver them out of it.

And tho' it be a Digression here, yet I cannot omit recommending it to all the common People of *Great Britain*, to look back upon the Issue of this unnatural Attempt, and see, *first*, with what Bluster, what haughty Behaviour, what insolent Boasts, the late Rebellion was undertaken; how they supported the Delusions with improbable Stories, Forgeries and Fiction; and how, by this means, together with other Artifices, Thousands were drawn in to join in their Design. And then, on the other hand, with what abject Baseness they deserted their own Cause, forsook those who would have fought and died for them, and shew'd the World, that tho' their Souls were sufficiently infected with the Poison of Rebellion, yet that they had neither Heads or Hands for the Execution; that they had neither Council to direct, or Courage to execute, the great Undertaking they were engaged in. If this were duly

reflected

reflected on, it would assist to expose the Party, and to undeceive the unhappy People, who they are now dealing with, to carry on their Designs against the Peace of their Country, and the Person of the King.

As they have been discover'd in their Councils, and defeated in their Camps; so they have been disappointed in their Friends; they entred into Negotiations Abroad, and Combinations at Home; but all their *Achitophels* have been defeated, and have had little left them to do, but to follow the Example of that first *Achitophel*, and *go* and *set their Houses in Order*, &c. All their Negotiations for Foreign Assistances have been counter-acted, and render'd abortive: The *Spaniards* will not, the *French* dare not, and other Princes cannot, assist them. They had obtained some Connivance in *France*; but the Regent was fain to disown it again. This they call Temporizing in that Prince, and flatter themselves, that he will alter his Mind upon some other Occasion: But the Chimera of this has been too weak to support them; and they begin to know now, that the *British* Court is too formidable in *France*, and the Report of the Weakness of the Rebels too certain also, to make it rational for the Regent to do any thing in their Favour, at least, any

thing

thing inconſiſtent with his Engagements to us, or any thing that the King of *Great Britain* can have Reaſon to reſent.

Thus ſtand their Circumſtances with relation to what is paſt: Every thing they have hoped for, has failed them; every thing they have undertaken, has miſcarried; all their Friends have promiſed them, has done them no Good; and all they have promis'd to others, has prov'd Chimerical and Whimſical; all their Treaſons have been abortive in the Contrivances, or deficient in their carrying on: And now they are at the Footſtool of their Injur'd Soveraign, imploring his Clemency and Pardon, tho' *even* THAT they do alſo with ſuch an imperfect Submiſſion, ſuch Reluctance, and with ſuch evident Tokens of Minds fill'd with the ſame Rancour, and only wanting Power to execute their wicked Purpoſes, that 'tis not a Wonder only that they ſhould find any Favour from his Majeſty: *Nor could that be, if his Majeſty's Clemency and Goodneſs was not quite different from that of moſt Princes in the World:* But 'tis really wonderful, that they ſhould have ſo little Modeſty as to ask it, or ſo little Senſe as to expect it.

Their Expectations being thus croſs'd on every Side, and their Cauſe now ſunk below any probable View of Succeſs, they have only one Card left to play; the Nature

ture of the Thing admits of no other Turn to their Deſigns; nothing elſe is before them but this, *viz.* That, if poſſible, they may keep up the Ferment and Diſaffection in the Minds of the People, till the Election of a new Parliament; and then, if they can carry their Point, they will find that they ſhall be able to fight the Government better in the Field of Elections, than in the Field of Battle; and wound the Conſtitution deeper by the Clamours and Huzza's of the Mobs, in the reſpective Corporations, than by the Cannon and Bombs in a War.

This is the preſent Caſe; *and I hope it is impartially ſtated.* It remains then only to enquire, whether this is not one of thoſe critical Times, when it may be neceſſary to ſuſpend the Execution of the only Law, in which theſe malicious People have placed all their remaining Expectations. Whether the Reaſons of their Boaſting, are well founded or no. Why ſhould we not take them at their Words? If their Hopes are built upon Chimera's, let us remove thoſe Chimera's; but if their Truſt is in Shadows, even thoſe Shadows ſhould be removed, that thoſe Hopes might vaniſh, and that they may have no more room to truſt in any thing; then they will have nothing to do but to ſubmit.

I will

I will not enter here into the Queſtion, whether there is any real Danger of their prevailing ſo much by the Poyſon of their Inſinuations, as to keep up the wicked Impreſſions they have made among the People; I'll rather ſuppoſe it as I would have it, *viz.* that it is not probable. But while they imagine otherwiſe, tho' they may be under a Deluſion in that Point, yet there are many little Advantages to their Cauſe, and many Inconveniencies to the Government, to have them but able to keep alive their Expectations: And the Conqueſt they make upon the Publick Peace by it is of Conſequence, tho' nothing elſe were ſo beſides. In Matters of ſuch Conſequence, what Reaſon is there to put any thing in hazard? What wiſe Man will run Riſques, that can be ſure? No Man is in Love with Danger, or fond of expoſing what is valuable, without a valuable Conſideration for his Riſque. It is evident, the ſuſpending this Law would as entirely extinguiſh their Hopes, and lead them by the Hand to ſuch Accommodations and Capitulations with the preſent Government as they could obtain; knowing, that being able to ſtand out no longer, they had beſt come in with as much Advantage to themſelves as they can; knowing, that the longer they delayed making their Peace, the harder it would be to

bring it to paſs, and the meaner the Conditions will be that they will be able to obtain; for Men always capitulate on ſo much worſe Terms, as bear a Proportion to the Length of Time that they held out.

It might be Time well employ'd, to enter into a Diſcourſe of the Particular Reaſons or Objections brought againſt ſuch a Propoſal; but it would be only, that Time would be ſpent in expoſing the Abſurdity and Folly of the ſeparate Reaſons which are given always againſt it: *Such as* making dangerous Precedents, the Difficulty of bringing the Courts of our Princes to conſent to reſtoring a Law, which invades ſo much the Power of Proroguing, and Diſſolving or Continuing a Parliament; a Right, which few of our Kings would have parted, for the Eaſe of his People, *the* Parting with ſo eſſential a Branch of the Privileges of *Great Britain* as this is, and on the enjoying which, ſo much of our Safety depends.

All theſe Objections are effectually anſwer'd, by ſtating the Difference between ſuſpending the Force of a Law for a certain limited Time only, and the abſolute repealing ſuch a Law; nor is there any Occaſion to ſay a Word more about it, only to let the Reader know, that not one Word in this Tract is to be underſtood to mean an abſolute Repeal of ſuch an Act,

but

but a Temporary Suſpenſion of the Law; the Limitation to expire at a certain Time, and the Law then to return to its full Force, unleſs thoſe Limitations ſhould be farther extended by the ſame Authority, and upon the like Neceſſity; of which Neceſſity, the Parliament are always to be the Judges.

There is ſomething offer'd indeed by the Enemies of this Propoſal, which I think may be ſaid to be the only thing, at leaſt that I have met with, that has any Weight in it; and this is, That it is a dangerous Precedent, and may be made uſe of to the Prejudice of our Liberties in the Reigns of ſucceeding Princes: To this may be ſaid, that if the Neceſſity of the Caſe be allow'd now, and that it ought to be done, we can ſay no more to Precedents than this, That when the Neceſſity is the ſame, and a Prince upon the Throne equally to be depended upon, and equally concern'd for the Liberties of his People, as we all, without Flattery, believe his preſent Majeſty to be; then we think the ſame thing may be done by our Poſterity. In the mean time, it is ſufficient to us to prove, that we are now in Circumſtances, which render it neceſſary at this Time. If that be granted, we cannot anſwer for what our Poſterity may do with leſs Neceſſity; the Fault will be theirs, not ours; and our

Caſe will be very unhappy indeed, if we ſhall be oblig'd to refrain Things neceſſary for the Publick Safety, in a Time of Danger and of open Rebellion, becauſe our Poſterity may make an ill Uſe of it. This might be argued againſt all the moſt neceſſary Things that a Nation can be called upon to do, and would make Government itſelf in many Caſes impracticable.

I ſhall conclude this Argument with proving, that as nothing but ſuch a Step as this can, at this Time, give a Check to the Faction, and effectually extinguiſh their Hopes; ſo this Step, if the Government ſhould think proper to come into it, would effectually diſcourage it, and indeed would give the *Coup de Grace*, or the mortal Blow to *Jacobitiſm* in this Nation.

It is no Compliment to the preſent Houſe of Commons, to ſay of them, that the like Body of Gentlemen, for their Unanimity in the Proſecution of the Rebels, their Steddineſs to the Intereſt of King *George*, and their Zeal for the Good of their Country, has not for many Years met within thoſe Walls; and perhaps the *Jacobites* may in this ſay true, that ſuch another Election never can be made. If theſe Gentlemen continue, the *Papiſts* may ſing their *Dirges* over the Corps of departed *Jacobitiſm*, and give Money to pray

for

for the Soul of Rebellion. They may take their Leaves of them for this Reign; they can never revive in this Nation: A King ſo eſtabliſh'd, ſo ſupported, and a Parliament ſo attach'd to his Intereſt, Family, and Perſon, can never be, and was never yet ſupplanted in this Nation.

Nothing is more frequent, than to hear the High-Church Men ſay, We muſt not do our Work this Way: We muſt take other Meaſures; there is nothing to be done while this Parliament is in Being; the Houſe of Commons act with ſo much Vigour and Steddineſs with the King, that they make themſelves a Terror to all the Foreign Powers of *Europe*, many of whom would otherwiſe aſſiſt us openly: We muſt wait, therefore, a while, the Days of their Diſſolution are at hand; then we hope to have a Houſe to our Minds, and an Intereſt that ſhall prevent their running thus glibly on. If we carry our Point there, all is our own; but, as it is, we cannot make any Attempt.

Theſe are their Speeches; nor is the Fact to be doubted. If this Parliament continue, the *Jacobites* are gone, entirely loſt; and their Cauſe can never have a Reſurrection in this Country. If this Parliament goes off, they have another Game for it; and if they ſhould out-wit us in ſhuffling the Cards, and bring all the Trumps into

their

their own Hands, the beſt Cauſe in the World may be loſt; and ſo the Nation may be again put to the Hazard of fighting all theſe Battles over again.

But if the Parliament be now continued for ſuch a Time as ſhall be thought proper, *the Game* is then *UP*, the Show is over, the *Pretender* may e'en go and buy Land in *Swiſſerland*, or in *Mountbelliard*, or where-ever he pleaſes; he will never find any more in *Great Britain*, than what his Coffin ſhould take up when they came to bury him.

It is indeed next to impoſſible, that with ſuch a King to reign, and ſuch a Parliament to ſtand by him, the *Pretender*, or his Friends at Home, much leſs thoſe Abroad, can any way ſhake the *Britiſh* Conſtitution.

It would be imitating our *Tories* in that very Thing which renders them the moſt contemptible, if I ſhould *Gaſconade them* upon this Subject; declaring the Conſtitution invulnerable, and bidding Defiance to all the Enemies of our Government to do their worſt. NO, NO, *Cæſar*'s Rule is to be obſerv'd here, never to deſpiſe an Enemy: Our way is, not to harbour any needleſs Apprehenſions; but at the ſame time not to imagine our Conſtitution to be invulnerable, and ſo become ſecure. We have the Watch, and 'tis our Duty to be

vigilant

vigilant againſt the leaſt Occaſion of Encouragement given our Enemies, and to take all imaginable Care to make them Deſpair.

I ſpeak it with due Reſerve to Providence. Nothing elſe can ſo effectually bring the Enemy to deſpair of Succeſs, at this Time, as giving a new Life to this Parliament. This Houſe of Commons is the Terror of Rebels, and the Dread of all their Foreign Alliances. While this Parliament ſubſiſts, Foreign Powers, tho' they ſhew their Teeth, yet keep their Diſtance; if the Allies of the *Jacobite* Party are willing to help them, yet they are not aſham'd to acknowledge, that they care not to embroil themſelves with the *Britiſh* Parliament. Even King *George* himſelf is made more Terrible by the Acceſſion of ſuch a Houſe of Commons. While theſe remain, what Aſſiſtance the Rebel Intereſt obtain, is by Stealth, Connivance, and with all poſſible Concealment. If the *Britiſh* Envoy does but remonſtrate, they tremble, eat their Words, deny to have known what is charg'd upon them, pretend to puniſh thoſe, that even before they encourag'd; and, like a Servant under Correction, make Promiſes to offend no more.

At Home 'tis the ſame: This Houſe of Commons is the Dread of *Jacobitiſm*; their very Breath ſtrikes Rebellion with Convulſions and Death. The Rebels, even

in

in their Proſperity, tremble at the unanimous Reſolutions of the Houſe: Upon the bare Votes of aſſiſting and ſupporting King *George*, the Arms fell out of their Hands, they quit their Advantages, ſcatter and diſperſe, flying for Life to every Corner of the World.

This is the Houſe of Commons, of whom the High Party ſay, We ſhall never have ſuch another: To which I know no Anſwer more proper to be given than this; That then it is our Buſineſs to keep them while we have them. They, *the Tories*, ſay, if this Houſe of Commons *Die*, we are undone: To which *the Whigs* may anſwer them, That if this Houſe of Commons *Lives*, they are undone; with this Addition, that we do not grant the firſt, and they cannot deny the laſt.

If *this Houſe* be voted longer liv'd, we may give one another Joy of a ſure Eſtabliſhment, at leaſt as to *Jacobitiſm*; not all the Devils in Hell, nor all the Powers of Men; nor all the Contrivances of St. *Germains*, *Rome*, or *Verſailles*, can be able to wound the Eſtabliſhment of this Nation.

FINIS.